

### **REMARKS/ARGUMENTS**

This Amendment is in response to the Office Action dated August 20, 2008. In the Office Action: (1) Claims 77-78, 80-83, 87 and 88 have been rejected under 35 U.S.C. § 112, second paragraph, as being indefinite; (2) Claims 77-78 have been rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,867,823 to Richardson (“*Richardson*”); (3) Claims 81-83 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Richardson*; and (3) Claims 80, 87, and 88 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over *Ryan* in view of U.S. Patent No. 6,073,062 to Hoshino (“*Hoshino*”). Each of the above are addressed below. For the Examiner’s reference, Claims 1-76, 79, and 84-86 were previously cancelled and Claims 77, 81, and 82 have been amended. Following this Amendment, Claims 77-78, 80-83, and 87-88 remaining pending in this application.

#### **Claim Rejections – 35 U.S.C. § 112**

The Examiner has rejected Claims 77-78, 80-83, 87, and 88 as being indefinite for failing to particularly point out and distinctly claim the subject matter which Applicants regard as the invention. In particular, the Examiner has indicated that Claim 77 recites “***a portable device ... comprising ... a screen device ... and ... displaying on said portable device, a first screen***” suggests a second screen where there is but one. Emphasis added. Similarly, the Examiner has indicated that Claim 81 recites “***a portable computer ... [and] ... displaying on said portable computer, a first screen ... [and further] displaying on said portable computer, a second screen***.” Emphasis added. However, the Examiner asserts that the claimed device to which the displaying is directed is disclosed as having one screen, therefore the displaying to a second screen is unclear. In addition, The Examiner has rejected Claims 78, 80, 82-83, 87, and 88 stating that these claims depend from Claims 77 and 81 and therefore are similarly deficient.

Applicants have addressed the Examiner’s rejection by amending Claims 77 and 81 to recite “screen window,” as the Examiner has suggested. Thus, Applicants respectfully request the Examiner to withdraw the current rejection of Claims 77-78, 80-83, 87, and 88 under § 112, second paragraph.

**Claim Rejections – 35 U.S.C. § 102**

The Examiner has rejected Claims 77-78 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 5,867,823 to Richardson (“*Richardson*”). Each rejection is addressed below.

**Independent Claim 77**

The Examiner has rejected independent Claim 77 as being anticipated by *Richardson*. However, Applicants respectfully assert that *Richardson* fails to teach or suggest each and every limitation of Claim 77. For instance, Claim 77 recites “***displaying, on said portable device, a screen window associated with a first of said job elements, said screen window displaying a particular set of job methods ..., said particular set of job methods corresponding to said first job element,***” wherein “***said screen window comprises a concurrent display of said particular set of job methods.***”

Applicants note that *Richardson* describes a system that provides a worker guidance and instruction for carrying out a task and records maintenance duties carried out by the worker without the need for written records. *See* Col. 2, lines 7-10. In particular, *Richardson* provides a portable device that is capable of recording completion of maintenance duties and providing worker guidance (i.e., displaying written instructions) to a worker conducting a particular maintenance task. *See* Col. 2, lines 15-19.

For instance, a worker may be faced with cleaning up a product spill. *See* Col. 3, lines 61-62. The worker turns on the device and enters the activity to be performed. *See* Col. 3, line 65 to Col. 4, line 1. The device then displays instructions and guidance for the activity. *See* Col. 4, lines 21-22. For example, the device displays instructions for cleaning up the spill such as informing the worker to wear protective gloves and eyewear. *See* Col. 4, lines 22-26. As the worker performs the tasks and follows the instructions, the worker inputs information that certain instructions have been completed. *See* Col. 4, lines 26-30. For example, the worker will press the “GO” key after putting on the protective gloves and eyewear to advance to the next instruction. *See* Col. 4, line 31-36. Thus, the device can monitor the worker’s compliance with the instructions. *Id.*

On Page 4 of the Office Action, the Examiner has indicated that the above example

teaches “***displaying on said portable device, a screen window ... said screen window displaying a plurality of job methods to be performed.***” However, Applicants respectfully disagree. The device disclosed in *Richardson* provides a screen and a number of keys (icons) that indicate an activity to be performed. See Col. 3, lines 19-39 and Figure 2. For example, “icons could include symbols for sweeping (key 18), cleaning an isolated area such as cleaning a product spill (key 20), inspection of an area (key 22), “GO” (key 24) to progress through information provided by the device, and stop (key 26) of a given task or use of the device.” See Col. 3, lines 27-32. Once the user has selected an activity (i.e., pressed the appropriate key), “[the] device 10 preferably will provide the worker instructions and guidance for the [activity].” See Col. 4, lines 20-23. Thus, the device of *Richardson* fails to teach or suggest “***a screen window ... said screen window displaying a plurality of job methods to be performed.***”

In addition, on Page 5 of the Office Action, the Examiner has asserted that *Richardson* teaches “‘wherein said screen window comprises a concurrent display of said particular set of job methods’ (see column 5 from line 42: using *Richardson* as fully described for the application of supermarket or other retail center maintenance, producing an audible sound and producing a message on the display when the time limit of two hours for the performance of the regular maintenance tasks expires).” However, Applicants fail to appreciate how this citation of *Richardson* teaches or suggests “***said screen window displaying a plurality of job methods to be performed.***”

The paragraph starting at Column 5, line 42 of *Richardson* discusses that the device can be programmed to provide a worker timely reminders of tasks by providing an audible sound and/or posting a reminder message on the display of the device. This paragraph in no way teaches or suggests a screen window displaying a plurality of job methods to be performed.

In light of the above, Applicants respectfully assert that *Richardson* fails to teach or suggest each and every limitation of Claim 77. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of independent Claim 77 under § 102.

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Dependent Claim 78

Claim 78 depends from independent Claim 77 and therefore includes all the limitations of Claim 77 plus additional limitations that further define the invention over the prior art. Accordingly, for at least the reasons set forth above in regard to independent Claim 77, Applicants respectfully submit that this claim is also in condition for allowance.

**Claim Rejections - 35 U.S.C. § 103**

The Examiner has rejected Claims 81-83 under 35 U.S.C. § 103(a) as being unpatentable over *Richardson*. In addition, the Examiner has rejected Claims 80, 87, and 88 under 35 U.S.C. § 103(a) as being unpatentable over *Richardson* in view of U.S. Patent No. 6,073,062 to Hoshino (“*Hoshino*”). Each rejection is addressed below.

Independent Claim 81

Independent Claim 81 has been rejected under 35 USC § 103(a) as being unpatentable over *Richardson*. On Page 6 of the Office Action, the Examiner asserts that Claim 81 “is similarly rejected as explained above for claim 77.” Thus, for reasons provided above in support of Claim 77, Applicants respectfully submit that *Richardson* fails to teach or suggest each and every limitation of Claim 81. For instance, *Richardson* fails to teach or suggest “***displaying, on said portable computer, a first screen window associated with a first of said job elements ..., said first screen window displaying a first particular set of job methods ..., said first particular set of job methods corresponding to said first job element,***” and “***wherein said first screen window comprises a concurrent display of said first particular set of job methods,***” as recited in Claim 81. Accordingly, Applicants respectfully request the Examiner to withdraw the rejection of independent Claim 81 under § 103.

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Dependent Claims 80, 82, 83, 87, and 88

Claims 80 and 87 depend from independent Claim 77 and therefore include all the limitations of Claim 77 plus additional limitations that further define the invention over the prior art. Claims 82, 83, and 88 depend from independent Claim 81 and therefore include all the limitations of Claim 81 plus additional limitations that further define the invention over the prior art. Accordingly, for at least the reasons set forth above in regard to independent Claims 77 and 81, Applicants respectfully submit that these claims are also in condition for allowance.

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### CONCLUSION

The foregoing is submitted as a full and complete response to the Office Action mailed August 20, 2008. The foregoing amendments to the claims, when taken in conjunction with the appended remarks, are believed to have placed the present application in condition for allowance, and such action is respectfully requested. The Examiner is encouraged to contact Applicants' undersigned attorney at (404) 881-7640 or e-mail at [chris.haggerty@alston.com](mailto:chris.haggerty@alston.com) to resolve any remaining issues in order to expedite examination of the present application.

It is not believed that extensions of time or fees for net addition of claims are required, beyond those that may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 CFR § 1.136(a), and any fee required therefore (including fees for net addition of claims) is hereby authorized to be charged to Deposit Account No. 16-0605.

Respectfully submitted,



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